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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LBF TRAVEL, INC.,

Plaintiff,

-against-

13-cv-9143 (LAK)

FAREPORTAL, INC., et al.,

Defendants.  
----- x


**ORDER**

LEWIS A. KAPLAN, *District Judge*.

Defendants' motion to dismiss the first amended complaint [DI 15] is granted to the extent that LBF's claims for trade dress infringement, a declaratory judgment, and violation of N.Y. Gen. Bus. L. §§ 349-50 are dismissed, in the case of the General Business Law claims without prejudice to the filing, on or before January 19, 2015, of a second amended complaint and in the case of the trade dress infringement and declaratory judgment claims without prejudice to a motion to assert those claims as a counterclaim in the prior action brought by defendants against plaintiff.

SO ORDERED.

Dated: January 5, 2015

  
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Lewis A. Kaplan  
United States District Judge